

Notice of Allowability

Application No.

09/612,141

Examiner

Arrienne M. Lezak

Applicant(s)

RUBERG ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 15 December 2005.
2. ☒ The allowed claim(s) is/are 94-102.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 3/3/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


DAVID WILEY
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jaya Nair, Attorney for Applicant on Friday, March 3, 2006, with confirmation via e-mail on Monday, March 6, 2006.

The application has been amended as follows:

Please Cancel pending Claims 52-93.

Please Add New Claims 94-102 as follows:

Claim 94:

A grouped server system, comprising:

- an interconnect;
- a plurality of servers, each of said servers having a device manager and at least one device driver managed by said device manager;
- a plurality of device services for implementing device drivers located on said servers, said device services capable of being coupled to one of said plurality of servers via the device manager;

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- a plurality of desktop units coupled to said servers via the interconnect, each desktop unit being coupled to one of said plurality of servers via the device manager;
- a plurality of peripheral devices located on said desktop units;
- wherein each of the device managers can maintain a first database comprising device data and a second database comprising scoping rules for at least one of said peripheral devices from at least one of said device services;
- wherein each of said device managers can search for a match between said first database and said second database;
- wherein if no match is found between its own first and second database data, each of said device managers operating in a group, can forward a request to other device managers within said grouped server system, thereby brokering control of said peripheral devices;
- wherein said at least one device driver managed by a first device manager, remotely controls at least one of said peripheral devices managed by a second device manager located within said grouped server system; and
- wherein in the event a first server failure is detected, the desktop unit coupled to a first device manager on said failed server will

establish a connection with a second device manager on a second server within the grouped server system.

Claim 95:

The grouped server system of Claim 94, wherein each of said device managers is coupled to a device list and wherein said device lists are segregated from each other.

Claim 96:

The grouped server system of Claim 95, wherein each of said device lists comprises data of peripheral devices managed by said device manager coupled to said device list.

Claim 97:

The grouped server system of Claim 96, wherein said device list further comprises data of devices managed by peer device managers coupled to said device list.

Claim 98:

The grouped server system of Claim 95, further comprising a universal time clock for time stamping said device list as it is generated to ensure that said device list coupled to each of said device managers is not outdated.

Claim 99:

The grouped server system Claim 94, further comprising a finder comprising scoping rules for a type of said peripheral devices from at least one of said device services.

Claim 100:

The grouped server system Claim 94, wherein at least one of said device services is coupled to at least one of said device managers, said at least one of said device services communicating a first device report and a first allocation request with said at least one of said device managers.

Claim 101:

The grouped server system of Claim 100, wherein said at least one of said device services is coupled to at least one of said plurality of desktop units, said at least one of said device services communicating device data of at least one said plurality of peripheral devices with said at least one of said plurality of desktop units via said at least one of said device managers.

Claim 102: The grouped server system of Claim 101, wherein said at least one of the said device managers is coupled to said at least one of said plurality of desktop units, said at least one of said device managers communicating a second device report and a second allocation request with said at least one of said plurality of desktop units.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

After extensive searching and analysis of the best prior art in light of Applicant's claimed invention, Examiner finds that Lawrence '415 and Mishra '589 either alone or in combination, do not teach the grouped server system and functionalities taught by Applicant's new claims as disclosed herein above. Moreover, following extensive additional searching, Examiner finds that without improper hindsight, the combination of elements and functionalities now recited within Applicant's new claim language would not be found within the prior art.

Examiner also cites US Patent US 6,549,934 B1 to Peterson, noting the same is distinguished in that it does not incorporate the database functionality relied upon by Applicant. Thus, Examiner finds that New Claims 94-102 constitute allowable subject matter.

Examiner notes Application 09/599,985 by Applicants has been abandoned and therefore does not raise issues of double patenting in this matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (571)-272-3916. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arrienne M. Lezak
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